

REMARKS

Applicant understands that each of the following submissions were found non-compliant by the Patent Office and therefore were not entered:

- (1) Substitute Amendment Under 37 CFR 1.111, filed 20 April 2005
- (2) Amendment Under 37 CFR 1.111, filed 4 January 2005
- (3) Reply in response to notice of non-compliant amendment, filed 13 May 2004
- (4) Reply and Amendment, filed 20 January 2004

Accordingly, Applicant submits a complete listing of claims in ascending numerical order including markings showing changes relative to the claims presented on 8 April 2003.

Further, for the Examiner's convenience, Applicant reiterates the remarks on claim amendments made but not entered in the four above-identified submissions.

Claim 19 has been amended to direct the claim solely to methods for the treatment or prophylaxis of inflammatory conditions by up-regulating the *in vivo* generation of anti-inflammatory Th-2 derived cytokines and/or down-regulating the *in vivo* generation of pro-inflammatory Th-1 derived cytokines thereby reducing the level of inflammation in the treated patient. Support for this amendment is found in originally presented Claim 1 as well as in Applicant's specification at, for instance, Examples 1 and 2 and, in particular, page 16, lines 3-16.

Claim 19 is further amended to add the language, "wherein said apoptotic bodies exhibit at least two characteristics comprising DNA fragmentation, surface exposure of phosphatidyl serine, or altered mitochondrial membrane permeability," to clarify the biological properties of the apoptotic bodies used in the claimed methods. Support for this amendment can be found, for example, at page 2, line 2 to page 4, line 17 and page 6, line 12 to page 7, line 2 of the specification.

Newly added claim 46 corresponds to now presented Claim 19 with the exception that this claim recites specific disease conditions from which the inflammation arises. Support for this amendment is found in Claim 19 as previously presented. Claim 46 also includes the language, “wherein said apoptotic bodies exhibit at least two characteristics comprising DNA fragmentation, surface exposure of phosphatidyl serine, or altered mitochondrial membrane permeability,” to clarify the biological properties of the apoptotic bodies used in the claimed methods. Support for this language can be found, for example, at page 2, line 2 to page 4, line 17 and page 6, line 12 to page 7, line 2 of the specification.

Newly added claims 47-57 correspond to previously presented claims 20-30.

New claim 58 is similar to amended claim 19 and new claim 59 is associated with new claim 46; however, the new claims recite additional characteristics of apoptotic cells, which may be associated with the cells used to practice the invention. Support for these additional characteristics can also be found, for example, at the above-referenced pages of the specification.

No new matter has been added and, accordingly, entry of these amendments is requested.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers

submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

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